FW 2871



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF:

HIGUCHI

SERIAL NO.:

10/050,770

FILED:

January 16, 2002

FOR:

Display Filter

GROUP:

2871

EXAMNIER:

DUONG, THOI

DOCKET:

NEC A326

MAIL STOP AMENDMENTS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicant hereby attaches U.S. Patent Office form PTO-1449, including copies of the references listed therein. Where available, English language counterparts and/or abstracts are being provided for the Examiner's convenience. These references were cited in the Japanese Office Action dated July 13, 2004 of the underlying Japanese patent application. Enclosed is a copy of the Japanese Office Action, together with an English translation of the relevant portions thereof. The claims in the present application are believed to be patentably distinguished over these references.

This Supplemental Information Disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made

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Serial No. 10/050,770
Docket No. NEC A326
Supplemental Information Disclosure Statement

that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted therewith.

The enclosed Supplemental Information Disclosure Statement is being submitted within three months of the Japanese Office Action, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are additional fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,

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Serial No. 10/050,770 Docket No. NEC A326 Supplemental Information Disclosure Statement

CERTIFICATE OF MAILING

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gust 18, 2004 at Tucson, Arizona.

By:

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STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

Docket No. **NEC A326**

In Re Application Of: HIGUCHI

Application No. 10/050,770

Filing Date January 16, 2002

Examiner **DUONG, THOI** Customer No. 27667

Group Art Unit 2871

Confirmation No.

7860

Invention: **FILTER**



COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

□ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Dated: August 18, 2004

Norman P. Soloway Registration No. 24,315 HAYES SOLOWAY P.C. 130 W. Cushing Street Tucson, AZ 85701

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I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria. VA 22313-1450" [37

CFR 1.8(a)] on August 18, 2004

rson Mailing Correspondence

Kathryn Grimes

Typed or Printed Name of Person Mailing Correspondence

Docket Number (Optional) Application Number · · NEC A326 10/050,770 INFORMATION DISCLOSURE CITATION Applicant(s) **HIGUCHI** (Use several sheets if necessary) Filing Date Group Art Unit January 16, 2002 2871 **U.S. PATENT DOCUMENTS** *EXAMINER FILING DATE REF DOCUMENT NUMBER DATE NAME CLASS SUBCLASS INITIAL IF APPROPRIATE U.S. PATENT APPLICATION PUBLICATIONS *EXAMINER FILING DATE REF DOCUMENT NUMBER DATE CLASS SUBCLASS NAME INITIAL IF APPROPRIATE FOREIGN PATENT DOCUMENTS Translation DATE SUBCLASS REF DOCUMENT NUMBER COUNTRY CLASS YES NO 2000-285832 10.13.00 H01J 29/89 JAPAN (w/abstract) 2000-275432 10.06.00 JAPAN (w/abstract) G02B 5/28 2001-504948 10.1.01 **JAPAN** G02B 5/22 7.21.98 10-507539 **JAPAN** G02F 1/1335 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.